

**Friday, February 08, 2008**

Ms. Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission

**Re: Petition for Interim Order filed January 22, 2008, by the National Exchange Carrier Association in CC 01-92, In the Matter of Developing a Unified Intercarrier Compensation Regime**

Dear Ms. Dortch:

On behalf of its member companies, the Rural Alliance<sup>1</sup> supports the January 22, 2008 petition for Interim Order filed by the National Exchange Carrier Association (“NECA”) and urges the Commission to issue an Order as requested adopting the call signaling rules NECA recommends in order to facilitate intercarrier billing for the growing amount of voice traffic that does not contain proper signaling data.

As one of the parties that participated in development of the Missoula Plan and the ensuing phantom traffic interim process and call detail records proposal, the Rural Alliance is well aware of the pervasive problems associated with incomplete, inaccurate or missing signaling data for voice traffic terminated on the Public Switched Telephone Network (“PSTN”). Representing its hundreds of supporting rural companies, the Rural Alliance has attempted to be constructive and proactive in seeking solutions to the myriad Intercarrier Compensation issues. Unfortunately, the Commission has not yet acted on any of the solutions proposed in the Missoula Plan, nor on the phantom traffic and call detail records filing. Without necessary call signaling information, there is limited ability to determine the classification or jurisdiction of a call for the purpose of Intercarrier Compensation. Some carriers are avoiding legal access charge payments because of this call signaling loophole. The Rural Alliance echoes NECA’s call for an Order, which would be a reasonable step to enable proper billing of PSTN-terminated traffic for which Intercarrier Compensation is rightfully due.

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<sup>1</sup> The Rural Alliance is a group sponsored by over 300 rural telephone companies organized to advocate for effective Intercarrier Compensation reform that will benefit rural consumers and the companies that serve them.

In addition, the Rural Alliance believes the Commission should issue Orders adopting two other requests contained in the NECA Petition. The Rural Alliance agrees with NECA that the Commission already has an extensive record to justify action on these requests. One request asks the Commission to clarify that the calling party number transmitted reflects the actual 10-digit telephone number of the end-user originating a call, not a number associated with intermediate switches, gateways or “platforms.”

As NECA observes, the action it seeks is consistent with requirements imposed on pre-paid calling card providers in 2006.<sup>2</sup> Were the Commission to order the call signaling rules but not clarify that the calling party number reflects the actual end-user originating a call, a large loophole would remain for those providers who try to avert their compensation obligations by use of these tactics.

The other NECA request in the Petition, seeking use of default originating and terminating numbers of a call to determine classification or jurisdiction for carrier billing purposes, also would provide a reasonable proxy to resolve billing disputes between wireless carriers and rural local exchange carriers as to whether traffic is Inter or IntraMTA. The Rural Alliance supported use of the “telephone numbers rule” as a fundamental principle of the compromises reached in the Missoula Plan. In doing so, the Rural Alliance viewed this rule – if properly applied – as a resolution to disputes over jurisdiction of traffic. Thus, applying the rule as a proxy in the limited manner recommended by NECA is a fair resolution solution to determining jurisdiction when a carrier claims no other means is available.

In order to finally inject some much-needed stability and equity, the Rural Alliance urges the Commission to act swiftly and issue an Order on these narrow recommendations petitioned by NECA.

For the Rural Alliance,

Paul Cooper

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<sup>2</sup> *Regulation of Prepaid Calling Card Services*, WC Docket No. 05-68, Declaratory Ruling and Report and Order, 21 FCC Rcd 7290 at ¶¶ 33-34.